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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/584,712

06/26/2006

Yoshikazu Kawagoe

900-555

5078

23117

7590

02/27/2009

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER

PATEL, DEVANG R

ART UNIT

PAPER NUMBER

1793

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 10/584,712	<b>Applicant(s)</b> KAWAGOE ET AL.	
	<b>Examiner</b> DEVANG PATEL	<b>Art Unit</b> 1793	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 20 February 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
 The status of the claim(s) is (or will be) as follows:  
 Claim(s) allowed: \_\_\_\_\_.  
 Claim(s) objected to: \_\_\_\_\_.  
 Claim(s) rejected: \_\_\_\_\_.  
 Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
The claims have not been amended and thus stand rejected under 103(a) as previously presented in the final office action.  
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
 13. ☐ Other: \_\_\_\_\_.

/Devang Patel/  
 Examiner, Art Unit 1793

/Kiley Stoner/  
 Primary Examiner, Art Unit 1793

## Response to Arguments

Applicant argues that connection of the structures is activated while entirely on the lower and upper belts 30 and 31 of Kannegiesser and such is in contrast with the positioning belt as recited. Examiner disagrees. The "connection of structures" in Kannegiesser refers to articles being worked upon by the belt apparatus and activation of workpieces is immaterial to the positioning belt arrangement.

Applicant argues that upper belt 31 overlaps only the lower belt 30 (positioning belt), it does not overlap any other belt. In response, Examiner contends that the claim as currently recited only requires that "press belt overlaps at least a portion of the positioning belt", not any other belt.

Applicant argues that both Kannegiesser and Gabini are not analogous to JP '188 because both are directed to laminating flexible structures while JP '188 is directed toward soldering solar cells and lead tabs, which are rigid. In response, Examiner contends that all three references are analogous art since they all concern bonding using belt conveyance mechanism.

Applicant also argues that conveyor 10 and conveyance mechanism are one and the same. However, JP '188 states "photovoltaic cell... was carried by the conveyance mechanism equipped with the adsorption pad etc., which is not illustrated on a conveyor 10 on the supply stage 11" [¶ 19]. JP '188 again states: "photovoltaic cell... was carried by the conveyance mechanism which is not illustrated is carried on a conveyor 10 on the supply stage [¶ 29]. Thus, it is reasonable to expect that JP '188 distinguishes between a conveyor and a conveyance mechanism.

With respect to claim 5, Applicant argues that proposed modification by Focke would render JP '188 unsatisfactory for its intended purpose. However, the instant rejection relies on combined teachings of JP '188, Garbini and Focke. JP '188 in view of Garbini discloses heating belt and press belt arrangement similar to that of Fig. 1 of Garbini, which is comparable to belt arrangement of fig.1 of Focke. One of ordinary skill in the art would have been motivated to include leaf springs of Focke in the modified apparatus of JP '188 in order to effectively press the belts together and thus, provide sufficient heating for bonding.